

ORDINANCE NO. 2009-03

AN ORDINANCE OF THE BOROUGH OF COALDALE
SCHUYLKILL COUNTY, PENNSYLVANIA, PROHIBITING THE
POSSESSION AND USE OF TOBACCO PRODUCTS BY
CERTAIN MINORS

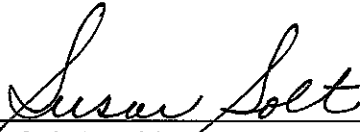
The Borough Council of the Borough of Coaldale, Schuylkill County, Pennsylvania, HEREBY ENACTS AND ORDAINS as follows:

- (a) It shall be unlawful for any minor under the age of eighteen (18) years to use or possess tobacco, in any form, within the Borough of Coaldale, or any Borough-owned property, on any public street, highway, traffic way, alley or sidewalk.
- (b) A violation of this Ordinance shall be a summary offense, and any person who violates this section shall, upon conviction, be sentenced to pay a fine of up to Fifty (\$50.00) dollars.
- (c) Definitions.
 - i. Alley. A street or highway intended to provide access to the rear side of lots of buildings and not intended for the purpose of through vehicular traffic.
 - ii. Highway. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purpose of vehicular travel. The term includes a roadway open to the use of the public for vehicular travel on grounds of a public or private school or public or historical park.
 - iii. Roadway. That portion of the highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder.
 - iv. Sidewalk. That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.
 - v. Tobacco. A lighted or unlighted cigarette, cigar, pipe, or other lighted smoking product and smokeless tobacco in any form.
 - vi. Traffic way. The entire width between property lines or other boundary lines of every way or place of which any part is open to the public for purposes of vehicular travel as a matter of right or custom.

(d) This article shall not apply to a minor smoking or using tobacco in a nonpublic place which constitutes the residence of the minor and his or her parents or guardian.

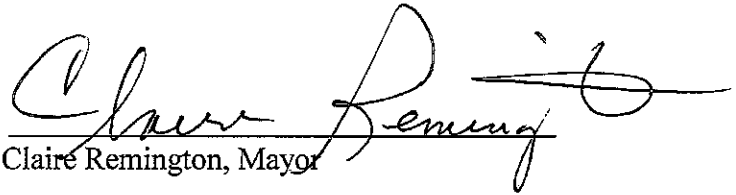
DULY ENACTED AND ORDAINED this 10th day of March, 2009.

BOROUGH OF COALDALE

BY: 
Susan Solt, President

ATTEST:


Louise Lill, Secretary


Claire Remington, Mayor